

Testimony
PSC Commissioner John Vincent
In opposition to
Senate Bill 403
March 13, 2009

EXHIBIT 8
DATE 3/13/09
SB 403

Chairman Noonan and members of the Committee:

When this bill was before the Senate Energy and Telecommunications Committee, the Commission appeared as an informational witness and offered amendments that it felt were necessary to clarify the intent of the bill but did not take any position. The Commission appreciates that most of those amendments were adopted.

Subsequently, the Commission by a 3 to 2 vote, with Chairman Jergeson and Commissioner Molnar dissenting, decided to oppose SB 403 because of the possibility of double-counting with respect to the environmental attributes associated with power from qualifying small power production facilities (QFs). Section 2, page 4, lines 4 and 12 through 19, would grant the utility purchasing the electricity the benefit of the environmental attributes by counting the power for compliance with Montana's renewable portfolio standard, and would allow a QF to sell a renewable energy certificate, which embodies the same environmental attributes, to an entity that might use it to comply with another state's renewable standard. A majority of the Commission believes this is an inappropriate policy.